

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**JARED M. SMITH,**

**Plaintiff,**

**v.**

**ERIE STATE PAROLE, et al.,**

**Defendants.**

**Case No. 1:18-cv-90**

**MEMORANDUM ORDER**

This action was received by the Clerk of Court on March 19, 2108, and closed for failure to prosecute on August 15, 2018. It was re-opened upon Plaintiff's request and ultimately was referred to United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

On January 4, 2019, Magistrate Judge Lanzillo issued a Report and Recommendation [ECF No. 17] recommending that the case once again be dismissed for failure to prosecute. No objections were filed.

After *de novo* review of the complaint and filings in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 22nd day of February, 2019;

IT IS ORDERED that this action is dismissed due to Plaintiff's failure to prosecute.

IT IS FURTHER ORDERED that the Clerk of Courts is directed to close this case.

AND, IT IS FURTHER ORDERED that the report and recommendation of Magistrate Judge Lanzillo, issued on January 4, 2019 [ECF No. 17] is adopted as the opinion of the court.

/s/ Susan Paradise Baxter

SUSAN PARADISE BAXTER  
United States District Judge